

AMENDED IN ASSEMBLY MAY 4, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1535

Introduced by Assembly Member Bass

February 22, 2005

An act to add Section 4637.6 to the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1535, as amended, Bass. Developmental services.

Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to allocate funds to private nonprofit regional centers for the provision of community services and support for persons with developmental disabilities and their families, and sets forth the duties of the regional centers, including, but not limited to, development of individual program plans and the monitoring of services.

This bill would require the department to ~~generate~~ *prepare, or contract with an appropriate research facility to prepare*, annual reports that set forth expenditures for the purchase of services and denials of eligibility for the prior fiscal year for each regional center aggregated by race and ethnicity of the consumers, would require the department to post the information on its Web site, and would require the regional center to submit related information.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

~~(a) Reports generated by the Department of Developmental Services indicate that the average per-capita expenditures for services for regional center clients from racial and ethnic groups, other than White, are less than the average per-capita expenditures for regional center clients that are designated as White, and that some of the discrepancies appear to be substantial.~~

~~(b) Local regional centers, and the communities they serve, are in the best position to review, monitor and address questions about equal access to services, provided they have timely access to reports comparing expenditures for services by race and ethnicity.~~

~~(c) Data available to the department, including data generated by regional centers, would enable the department to generate reports to assist regional centers and their communities understand and address any questions of equal access to services.~~

(a) Studies conducted by the State Department of Developmental Services and other research organizations have detected differences in per-capita expenditures for regional center services across ethnic groups, and these studies indicate that further study is needed to better understand these differences.

(b) Local regional centers, the communities they serve, and the state have a responsibility to identify and remove inappropriate ethnic or racial bias in the delivery of services, if they exist.

SEC. 2. Section 4637.6 is added to the Welfare and Institutions Code, to read:

4637.6. (a) By August 30th of each year, the department shall ~~generate~~ *prepare, or contract with an appropriate research entity to prepare*, a report for the prior fiscal year that sets out expenditures for the purchase of services for each regional center, by race and ethnicity, as set forth in subdivision (b).

(b) Each regional center shall submit to the department, the cost for purchases of service for each of the following categories:

(1) Out-of-home expenses.

- 1 (2) Day programs.
- 2 (3) Transportation.
- 3 (4) Medical care.
- 4 (5) In-home respite.
- 5 (6) Out-of-home respite.
- 6 (7) Other nonmedical services.
- 7 (8) Support services.
- 8 (9) Total purchase of service which shall sum the cost
- 9 categories in paragraphs (1) to (8), inclusive.

10 (c) The race and ethnic categories shall include at least Asian,
11 Black/African American, Filipino, Latino/Hispanic, Native
12 American, other, Polynesian, unknown, and White.

13 (d) The report shall include an analysis of the purchases of
14 service cost by race and ethnicity, for each regional center, and
15 shall control for all of the following independent variables,
16 contained in the Client Development Evaluation Report (CDER):

- 17 (1) Client chronological age.
- 18 (2) Residence type.
- 19 (3) Client's primary programming/characteristic.
- 20 (4) Level of mental retardation.
- 21 (5) Levels of adaptive and maladaptive behaviors.
- 22 (6) Ethnicity.
- 23 (7) Client's regional center.

24 (e) The department shall, by August 30th, of each year,
25 ~~generate prepare, or contract with an appropriate research entity~~
26 ~~to prepare,~~ reports setting forth the total number of notices of
27 proposed action, by each regional center for the prior fiscal year,
28 that terminate continuing eligibility to recipients, or that deny
29 initial eligibility to applicants, for regional center services
30 aggregated as follows:

- 31 (1) For each race/ethnic category.
- 32 (2) For individuals who do not speak English as their primary
- 33 language.
- 34 (3) For notices that are not in English.

35 (f) Each regional center shall promptly provide the data
36 requested by the department to enable the department to ~~generate~~
37 ~~produce~~ the annual reports.

38 (g) The department shall post the annual reports on its Web
39 site on completion and shall make the report available upon

- 1 request. Each regional center that has a Web site shall include a
- 2 link to the department's reports.

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